

WASH. POST
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WASHINGTON POST
7 April 1987

Meese Eyed U.S. Probe on Contra Guns

Inquiry Came as Hill Considered Funding

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An investigation by federal prosecutors in Miami into possible illegal gun-running to the Nicaraguan contras, although still in an early stage, drew the personal attention of Attorney General Edwin Meese III and other Justice Department officials at a time when the Reagan administration was worried about getting Congress to approve \$100 million in contra aid.

Congressional critics of the administration's contra program say the Justice Department's interest in the case suggests that it may have tried to slow the investigation to prevent prosecutors from uncovering illegalities that might have undermined support for the rebels.

But Justice Department officials said Meese and other department officials made no attempt to interfere with the investigation. They said department officials were simply trying to stay on top of a case that had become controversial on Capitol Hill.

Meese's inquiry into the case took place last April, when he was in Miami to visit two FBI agents who had been wounded in a shootout. At a news conference yesterday, Meese said he raised the issue with Leon Kellner, the U.S. attorney in Miami, while the two men were at the hospital.

Asked by a reporter why, among all the investigations under way by the Justice Department, he would inquire about this case, Meese replied: "I wanted to see if he had such an investigation going on because I had seen it in the newspaper."

Meese said his interest was not prompted by concerns that the probe might hurt Reagan administration efforts to win congressional

support for contra aid. "I was mainly curious," Meese said.

Kellner's office has been aware of the gun-running allegations since early last year, but only began presenting evidence to a grand jury in November. Those working on the investigation—an assistant U.S. attorney, Jeffrey Feldman, and two FBI agents—suggested in May that a grand jury be impaneled, but Kellner and his top aides wanted to wait until more evidence could be collected, according to Kellner's deputy, Richard Gregorie.

Throughout this period, Kellner said in an interview last week, he was in regular contact with then-Deputy Attorney General D. Lowell Jensen and other senior Justice Department officials. Kellner said, however, that they made no attempt to pressure him and that he regularly briefs top officials.

Independent counsel Lawrence E. Walsh, who is investigating the Iran-contra affair, recently decided to examine whether Justice officials improperly interfered with the Miami case and a House subcommittee on crime chaired by Rep. William J. Hughes (D-N.J.) is also looking into the matter, according to sources familiar with both inquiries.

Walsh's office is also investigating a separate allegation of Reagan administration interference last October, after the shooting down of a plane carrying weapons to the contras as part of an extensive resupply operation.

Meese, at the request of then-national security adviser John M. Poindexter, asked FBI Director William H. Webster to delay for 20 days an investigation into Southern Air Transport Inc., an air cargo company involved in the operation, according to Justice Department officials.

Webster is expected to be asked about the delay of the Federal Bureau of Investigation's Southern Air inquiry when he appears before the Senate Select Committee on Intelligence Wednesday for hearings on his nomination to become director of the Central Intelligence Agency, according to knowledgeable sources.

Meese, who has acknowledged that Poindexter called him about the Southern Air investigation, yesterday denied any discussion with the White House about the pursuit

of the gun-running case by Kellner's office. He specifically disputed a recent report in the Village Voice, a New York weekly newspaper, that Poindexter asked him to intervene. "I have no recollection of this ever coming up in any conversation" with White House officials, Meese said.

In an interview in his Miami office last week, Kellner defended his office's handling of the gun-running inquiry but expressed irritation at persistent news media reports about it.

"This thing doesn't go away," said Kellner, who added: "I have never received any pressure to slow it down. I know there are people out there that say I did."

Aides to Kellner disclosed that an assistant U.S. attorney, who is not involved in the investigation, told them last week that he overheard a conversation last spring in which Kellner said "go slow." This assistant came forward after being approached by the House investigators about testifying, the aides said.

Kellner said he made no such comment.

Sources said the Miami investigation is looking into whether members of a private contra aid network tied to fired National Security Council aide Lt. Col. Oliver L. North violated U.S. arms export laws and restrictions on private citizens taking part in military actions against foreign countries. The investigation, among other things, is examining whether weapons were shipped to the contras aboard a plane that flew from Fort Lauderdale on March 6, 1985, sources said.

"Evidence has been developed concerning the participation by United States government officials, or others associated with them, in providing military assistance to Nicaraguan insurgents (contras) during the fiscal years 1985 and 1986," when virtually all such U.S. military aid was prohibited, Associate Attorney General Stephen S. Trott said earlier this year in an internal Justice Department document. "It is my view that the above information may require investigation of possible CIA, NSC and other government" officials, Trott said.

Sources said Kellner and the Justice Department twice asked Walsh to take over the continuing gun-running investigation to "avoid the appearance of an impropriety" in light of allegations about the department's role.

Sources said, however, that Walsh has decided to confine his efforts to examining the department's handling of the probe.

Walsh declined to comment on his decision yesterday.

Informed sources said Walsh is continuing to monitor the Miami probe and has the option of taking over if new evidence should develop.

TRACKING THE INVESTIGATION

- **July 21, 1985:** The Miami Herald reports that the Nicaraguan rebels, known as contras, received a shipment of weapons that originated in Fort Lauderdale on March 6, 1985. The article is based on interviews with two mercenaries jailed in Costa Rica.
- **Aug. 14:** Jesus Garcia of Miami is arrested for possession of an unregistered machine gun. Garcia tells authorities that the weapon was intended for the contras.
- **January 1986:** After Garcia's conviction, he requests a meeting with FBI agents and tells them about the alleged March 6 shipment of weapons, according to Garcia's attorney at the time.
- **Feb. 25:** Reagan asks Congress for \$100 million in contra aid.
- **March:** The U.S. attorney in Miami, Leon Kellner, learns of Garcia's allegations from a letter that Garcia's wife sends to the court. About the same time, Kellner said, a Justice Department official in Washington calls him about the case.
- **March 5-6:** Three House committees reject contra aid; a fourth approves it.
- **March 16:** Reagan appeals for contra aid in a televised address.
- **March 17:** The House opens debate on contra aid. Late in the afternoon, a Justice Department official calls Kellner's office and asks for a delay in Garcia's sentencing.
- **March 20:** House votes down contra aid. The Senate, a week later, narrowly approves it.
- **April 11:** The Boston Globe publishes a lengthy article about the gun-running allegations.
- **April 13:** Attorney General Edwin Meese III, on a visit to Miami, asks Kellner about the gun-running allegations.
- **May 7:** The New York Times, quoting a "senior Justice Department official," reports that Kellner's office has found no evidence to support charges of contra gun-running.
- **Late May:** Kellner and top aides reject a proposal to impanel a federal grand jury to review evidence of gun-running.
- **June 25:** House approves contra aid.
- **Aug. 13:** Senate approves contra aid.
- **Sept. 15:** Garcia, at his sentencing, mentioned Lt. Col. Oliver L. North and a North associate, Robert Owen.
- **Oct. 5:** A C123K plane carrying weapons is shot down in Nicaragua, revealing existence of a secret resupply operation linked to North and the White House.
- **November:** A grand jury is impaneled to investigate the Garcia allegations.